

and bombing everything in sight and perpetually fighting a losing battle for the hearts and minds of the Iraqi people?

We must reopen the debate about the situation in Iraq to determine why our current policies are not working. We must figure out why the insurgency continues to grow despite our military efforts. Only through a robust, public dialogue can we begin to get to the bottom of these questions.

To address the root cause of terrorism around the world, such as the current insurgency in Iraq, I have introduced H. Con. Res. 392, a SMART Security Resolution for the 21st Century. SMART stands for sensible, multilateral, American response to terrorism.

SMART security calls for the United States to address the root causes of terrorism by engaging our United Nations partners, by engaging also the world humanitarian community and all of our United States allies in the international and civilian-led reconstruction and political transition processes that we are involved in.

Can my colleagues imagine what Iraq might look like if, instead of rushing to invade the country, we had waited just a few months and continued to engage the rest of the world community in the weapons inspection process? We would have learned that Iraq did not possess weapons of mass destruction. We would have prevented the deaths of thousands of American troops and innocent Iraqi civilians.

Imagine if, after the invasion, we had allowed other Nations and the U.N. to partner with the United States in engaging the Iraqis in the reconstruction program. We would not be faced with billions of dollars of debt because the finances of cleanup would have been offset by dozens of other donor Nations.

SMART security calls for increased developmental aid for programs that are integrated with peace building and conflict prevention measures. Unfortunately, we are struggling to provide funds for Iraq's development because we are too busy paying for military operations, and the insurgents are busy working against our every effort in that regard.

Already, the White House has asked Congress to pilfer \$3 billion from Iraq's reconstruction funds in order to pay for military operations. That request represents a complete failure to adequately plan and prepare for this war.

Mr. Speaker, the United States must stop engaging in this reckless national security strategy, a strategy whose current path only encourages future terrorist activities.

It is time we pursued a SMART security strategy for America, a strategy that will secure Iraq, a strategy that will keep America safe and secure for the future, because, if we do not, all we will be left with are the consequences of our current failed policies.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. VAN HOLLEN) is recognized for 5 minutes.

(Mr. VAN HOLLEN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. KIND) is recognized for 5 minutes.

(Mr. KIND addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. EMANUEL) is recognized for 5 minutes.

(Mr. EMANUEL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. STUPAK) is recognized for 5 minutes.

(Mr. STUPAK addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

WHY IS IT SO URGENT THAT WE PASS AN INTELLIGENCE REFORM BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, there are few times when a bipartisan bill—of such substance and urgency, comes to the House that will truly benefit the safety and security of the American people as we have in this instance. The intelligence bill that is sitting in our Chambers, H.R. 10/S. 2845, must be passed before we close for 2004.

I urge my colleagues to join me in urging our colleagues to pass this bill and avoid imminent dereliction of duty.

This week may be our last chance this year to consider and pass this overwhelmingly popular bipartisan measure. This sweeping bill includes the creation of a national intelligence director to oversee the Central Intelligence Agency, a plan with which even our President agrees.

Given the recent vulnerabilities that we have experienced in bioterrorism defense with the shortage of flu vaccinations and the recent discovery that 380 tons of explosive material in Iraq remains unaccounted for, it is more than critical for this body to pass the intelligence reform legislation now—while we have an opportunity. The families of the fallen victims are looking to us for leadership and responsible action.

This bill would pass easily in the House of Representatives if our Speaker would overrule its opponents and schedule a vote. Furthermore, the companion Senate measure has sufficient support for passage.

I believe very strongly that immigration does not equate with terrorism. Nevertheless, we continue to look to the enforcement of our im-

migration laws as a way to protect our country from terrorist attacks, and this did not begin with the terrorist attack on September 11, 2001. Serious efforts in this regard were going on long before that happened. For instance, partly in response to the 1993 World Trade Center bombing, Congress strengthened the anti-terrorism provisions in the Immigration and Nationality Act, the INA, and passed provisions that were expected to ramp up enforcement activities, notably in the Illegal Immigration Reform and Immigrant Responsibility Act, IIRIRA, of 1996, Public Law 104-208, and the Antiterrorism and Effective Death Penalty Act, Public Law 104-132.

The INA gives the government broad authority to arrest and detain aliens in the United States who are suspected terrorists or who are suspected of supporting terrorist organizations, as well as aliens who have violated other provisions of immigration law. This was augmented by a mandatory detention provision that we added with the U.S. PATRIOT Act.

More than 1,200 people reportedly were detained after September 11. Some experts support a broadening of the authority to arrest and detain aliens in the United States who are suspected terrorists or who are suspected of supporting terrorist organizations.

I believe that current law will be adequate with minimal changes. I am concerned that further expansion may erode individual rights and that, as a result, innocent foreign nationals may be detained and deported.

Unfortunately, the House bill to implement the Commission's recommendations included a number of extraneous provisions that dealt with immigration reform issues rather than with the need to secure our country against further terrorist attacks.

For instance, it included court stripping provisions to reduce access to Federal court review from adverse decisions in immigration removal proceedings. It had a provision to take away the power of a Federal court judge to stay an alien appellant's removal pending the outcome of his appeal proceedings. It provided for greatly expanding the use of expedited removal proceedings, which would have enabled the Government to remove thousands of undocumented aliens without hearings or due process of any kind. It even had a provision permitting the government to deport aliens to countries where they would be tortured—in direct violation of the Convention Against Torture.

This troubled the 9/11 Commissioners to the point where they wrote letters to the Congress encouraging us to put these contentious issues aside so that we could move forward with the serious business of implementing their recommendations.

I am pleased that bipartisanship and a sense of responsibility prevailed in the end as far as the joint conference is concerned. The extraneous provisions I just mentioned have been removed from the bill. The final product is worthy of the outstanding effort that the Commission put into analyzing the horrific events of September 11, 2001. While I recognize that it does not fully implement the recommendations of the Commission in every respect, it is a major effort to move forward with the essential elements of the Commission's recommendations. We must consider and pass this legislation now.